

Litchfield Farms Homeowners Association

FINE POLICY

Effective February 1, 2015

The Board of Directors at the Litchfield Farms Homeowners Association Meeting on January 20, 2015 approved to amend the Association's Fine Policy as follows:

FIRST NOTICE – Initial courtesy notice of the violation will be mailed or emailed (at the request of the homeowner) requesting compliance within fourteen (14) days of the violation - **No fine**.

SECOND NOTICE – If violation continues to exist after fourteen (14) days, a second notice requesting compliance within fourteen (14) days of the second observation of the violation will be mailed or emailed (at the request of the homeowner) requesting compliance within fourteen (14) days of the second violation - **\$50 fine** and due immediately with the second notice.

THIRD NOTICE – If violation continues to exist after the second observation of the violation, a third notice requesting compliance within fourteen (14) days of the third violation will be mailed or emailed (at the request of the homeowner) requesting compliance within fourteen (14) days of the third violation - **\$100 fine** and due immediately with the third notice.

CONTINUING VIOLATIONS – If the violation continues without resolution after the third notice, a fine of \$100 will be assessed each fourteen (14) days until the violation is resolved. In addition, the Board will have the right to remedy the violation and/or take legal action, the cost of which will be billed to the homeowner and collected as allowed by the Arizona Revised Statutes.

Fines will not be imposed without first providing a written warning to the homeowner describing the violation and stating that failure to resolve the violation within no less than fourteen (14) days of another reoccurrence of the same violation within three (3) months of the original violation will make the homeowner subject to the original fine.

VIOLATION APPEAL PROCESS

When a violation notice is sent to a homeowner, the notice includes a statement notifying the homeowner that they have the "RIGHT OF APPEAL." When a homeowner wants to appeal a violation, they must send a written notice that they are requesting to appeal the violation to the Homeowners Association, in care of the Management Company.

- Appeals shall be received within ten (10) days of the date of the fine notification (violation letter).
- Appeals shall demonstrate extenuating circumstances which require deviation from the CC&R's and/or guidelines.
- Appeals shall include all pertinent backup information to support the existence of the extenuating circumstance.
- All decisions of the Board are final and may not be further appealed.
- Any appeal that does not meet the above requirements shall be heard by the Board and shall be considered DENIED.
- The homeowner appealing the violation will be given written notice that the appeal is scheduled, including the date the appeal will be heard.
- The appeal shall be heard in Executive Session.
- The Board President will introduce all parties.
- Lengthy discussions are not a part of an appeal process.
- The homeowner who is appealing will be asked to state their case and present any documentation that is applicable.
- Each Board Member will have the opportunity to ask the homeowner specific questions regarding the appeal.
- Upon completion of the question and answer period, the Board President will state that the appeal has been heard and the Board will make their decision in closed session. Then "Written Notice" will be given to the homeowner of the Board's decision within ten (10) business days.

If the appeal is denied, the homeowner must bring the violation into compliance within fourteen (14) days. If the violation still exists after fourteen (14) days, the homeowner will receive a \$100.00 FINE every fourteen (14) days until the violation is corrected. In addition, the Board of Directors may seek legal action to remedy the violation.